

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**TRUSTEES OF THE EMPLOYEE  
PAINTERS' TRUST,**

Plaintiffs,

v.

**SILVERTON GLASS, LLC et al.,**

Defendants.

No. 3:20-cv-00902-YY

OPINION AND ORDER

**MOSMAN, J.,**

On April 28, 2021, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (F. & R.) [ECF 15]. Judge You recommends that I grant Plaintiffs' Motion for Default Judgment [ECF 12]. No objections were filed. I agree with Judge You and ADOPT her recommendations in full.

**STANDARD OF REVIEW**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court

is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F. & R. to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F. & R. depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F. & R. 28 U.S.C. § 636(b)(1)(C).

### CONCLUSION

Upon review, I ADOPT Judge You's F. & R. [ECF 15] as my own opinion, and I GRANT Plaintiffs' Motion for Default Judgment [ECF 12].

IT IS SO ORDERED.

DATED this 21 day of May, 2021.

*Michael W. Mosman*  
MICHAEL W. MOSMAN  
United States District Judge